

KING & SPALDING, LLP

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Atlanta, Georgia 30303-1763
Telephone: 404/572-4600
Facsimile: 404/572-5100
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MAR 11 2005

FAX TRANSMITTAL SHEET March 11, 2005

TO: Examiner E. Kiss
GAU 2122
U.S. Serial No. 09/642,625

Company:

U.S. Patent and Trademark Office

Fax #: 703-872-9306

City/State:

Alexandria, VA 22313

Mail Stop ISSUE FEE

FROM: Steven P. Wigmore

5551

Our Ref. #:

05456.105041

NUMBER OF PAGES (including transmittal sheet): 30

CONFIDENTIALITY NOTICE

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If transmission problems occur or you are not the intended recipient, please call 404.572.2459 immediately. Thank you.

Notes/Comments:

Documents Submitted Via Facsimile:

Applicant: Peter A.J. Van Der Made

Serial No.: 09/642,625

Filed: August 18, 2000

For: Computer Immune System and Method for Detecting Unwanted Code in a Computer System

Papers Submitted: Request for Initialed Copies of the PTO-1449 Forms [2-pgs.]; IDS's filed on (February 7, 2003 [4-pgs.]; April 3, 2002 [4-pgs.]; March 22, 2002 [4-pgs.]; July 26, 2001 [4-pgs.]; June 27, 2001 [3-pgs.]; and August 18, 2000 [2-pgs.]; post card receipts [6-pgs.]

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MAR 11 2005

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Peter A. J. Van Der Made)	Art Unit: 2122
)	
Serial No. 09/642,625)	Confirmation No. 8243
)	
Filed: August 18, 2000)	Examiner: Kiss, E.
)	
For: Computer Immune System and Method)	
for Detecting Unwanted Code in a)	
Computer System)	

**REQUEST FOR INITIALED COPIES OF THE PTO-1449 FORMS
FILED WITH THE INFORMATION DISCLOSURE STATEMENTS**

Commissioner for Patents
Mail Stop Box Issue Fee
Alexandria, VA 22313-1450


March 11, 2005

Sir:

The Applicant respectfully requests the Examiner to consider and initial the attached PTO-1449 forms that were previously filed with six Information Disclosure Statements (IDS's) prior to the Notice of Allowance of February 28, 2005. The Applicant has not received copies of these PTO-1449 forms that bear the Examiner's initials.

For the Examiner's convenience, attached hereto are copies of the IDS's with the PTO-1449 forms that were not properly initialed by the Examiner. These documents were filed on the following dates: February 7, 2003, PTO-1449 (3-pgs.); April 3, 2002, PTO-1449 (1-pg); March 22, 2002, PTO-1449 (1-pg.); July 26, 2001, PTO-1449 (1-pg.); June 27, 2001, PTO-1449 (1-pg.); and August 18, 2000, PTO-1449 (1-pg.). The Applicant has also provided post card receipts for each submission that evidences the receipt of these documents in the U.S. Patent and Trademark Office.

I hereby certify that this correspondence is being facsimile transmitted to: Commissioner for Patents, Mail Stop Issue Fee, P. O. Box 1450, Alexandria, VA 22313-1450, GAU 2122, Attn: Examiner E. Kiss, Facsimile No. (703) 872-9306 on March 11, 2005.


Steven P. Wignmore, Reg. No. 40,447

COPY

The U.S.P.T.O. official mailroom stamp affixed hereto acknowledges receipt of the items listed below.

Applicant	Peter A.J. van der Made
Serial No.	09/642,625
Title	Computer Immune System and Method for Detecting Unwanted Code in a Computer System
Papers Submitted:	Information Disclosure Statement (1 pg.); PTO-1449 form (3 pgs.); copies of thirty-one (31) cited references; Return Postcard
Attorney	WSP/llo
Date Mailed	February 7, 2003 <i>N3P</i>
Docket	05456.105041



COPY

VBH 2/17/03

COPY

S.N. 09/642625 File No. 81924-0001 Date Mailed 4-3-02 By: W.H. Williams
Title Computer Immune System and Method for Detecting
(Client Name) VCTS, Inc.
The Following due _____ in the U.S. Patent and Trademark office was received in the Patent
& Trademark Office on the date stamped hereon:

____ Amendment
____ Preliminary Amendment
____ PCT Application Including
____ Pages Spec. _____ Page Abstract _____ *Claims
____ Application for Patent Including
____ Pages Spec. _____ Page Abstract _____ Claims
____ Declaration: Affidavit of Oath (_____ Page(s))
____ Assign. Ck No. _____ for \$ **RECEIVED**
____ Verified Statement
____ Letter of Transmittal
____ Amendment Under 37 C.F.R. 1.312 (a)
____ Check No. _____ for \$
____ Check No. _____ for \$
____ Check No. _____ for \$

Drawing: # of Sheets _____
____ Formal _____ Informal
____ Issue Fee Transmittal
____ Letter Re
____ Notice of Appeal
____ Petition for **APR 17 2002**
____ Advance soft copy order
____ Ck. No. _____
____ IDS: 4 References
____ Certified Copy# of docs
____ Priority
____ Form PTO-1449
DOCKETING
APR 18 2002
PAENT & TRADEMARK

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**PATENT
81924.0001**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter A.J. van der Made

Serial No: 09/642,625

Filed: August 18, 2000

For: **COMPUTER IMMUNE SYSTEM
AND METHOD FOR DETECTING
UNWANTED CODE IN A
COMPUTER SYSTEM**

Art Unit: 2122

Examiner: Not Assigned

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:	
Commissioner for Patents Washington D.C. 20231, on	
April 3, 2002	
Date of Deposit	
William M. Wich	Reg. No. 36,312
Name	
Signature	4/3/02
	Date

**TRANSMITTAL OF INFORMATION
DISCLOSURE STATEMENT**

Commissioner for Patents
Washington, D.C. 20231

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the

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81924.0001**

information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.

3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

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AND FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. A copy of this petition is enclosed.
5. ☒ A list of 4 reference(s) is in the enclosed Form PTO-1449.

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**PATENT
81924.0001**

NON-ENGLISH LANGUAGE REFERENCES

- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Respectfully submitted,
HOGAN & HARTSON L.L.P.

By: 

William H. Wright
Registration No. 36,312
Attorney for Applicant(s)

Date: April 3, 2002

Biltmore Tower
500 South Grand Avenue, Suite 1900
Los Angeles, CA 90071
Telephone: (213) 337-6700
Facsimile: (213) 337-6701

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S.N. <u>09/642,625</u> File No. <u>8/924,009</u> Date Mailed <u>3-22-02</u> By: <u>W.H.H.</u>	
Title <u>Computer Immune System and Method for Detecting</u>	
(Client Name) <u>VCIS, Inc.</u>	
The Following due <u>07/15</u> to the U.S. Patent and Trademark office was received in the Patent & Trademark Office on the date stamped hereon: <u>MAR 29 2002</u>	
<input type="checkbox"/> Amendment	Drawing: # of Sheets _____
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Formal <input type="checkbox"/> Informal
<input type="checkbox"/> PCT Application Including _____	<input type="checkbox"/> Issue Fee Transmittal
Pages Spec. _____ Page Abstract _____ Claims _____	<input type="checkbox"/> Letter Re. _____
<input type="checkbox"/> Application for Patent Including _____	<input type="checkbox"/> Notice of Appeal _____
Pages Spec. _____ Page Abstract _____ Claims _____	<input type="checkbox"/> Petition for _____
<input type="checkbox"/> Declaration, Affidavit of Oath (_____ Page(s))	<input type="checkbox"/> Advance soft copy order _____
<input type="checkbox"/> Assign. Ck No. _____ for \$ _____	Ck. No. _____ For \$ _____
<input type="checkbox"/> Verified Statement	<input checked="" type="checkbox"/> IDS: <u>4</u> References
<input type="checkbox"/> Letter of Transmittal	<input type="checkbox"/> Certified Copy# of docs _____
<input type="checkbox"/> Amendment Under 37 C.F.R. 1.312 (a)	Priority _____
<input type="checkbox"/> Check No. _____ for \$ _____	<input checked="" type="checkbox"/> Form <u>PD-1449</u>
<input type="checkbox"/> Check No. _____ for \$ _____	_____
<input type="checkbox"/> Check No. _____ for \$ _____	_____

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PATENT
81924.0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter A.J. van der Made

Serial No: 09/642,625

Filed: August 18, 2000

For: **COMPUTER IMMUNE SYSTEM
AND METHOD FOR DETECTING
UNWANTED CODE IN A
COMPUTER SYSTEM**

Art Unit: 2122

Examiner: Not Assigned

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents
Washington D.C. 20231, on
March 22, 2002
Date of Deposit
William J. Wright Reg. No. 36,312
Name
Signature
Date 3/22/02

**TRANSMITTAL OF INFORMATION
DISCLOSURE STATEMENT**

Commissioner for Patents
Washington, D.C. 20231

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the

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81924.0001

information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.

3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

§1.97(e) STATEMENT

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AND FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. A copy of this petition is enclosed.
5. ☒ A list of 4 reference(s) is in the enclosed Form PTO-1449.

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NON-ENGLISH LANGUAGE REFERENCES

- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Respectfully submitted,
HOGAN & HARTSON L.L.P.

By: 

William H. Wright
Registration No. 36,312
Attorney for Applicant(s)

Date: March 22, 2002

Biltmore Tower
500 South Grand Avenue, Suite 1900
Los Angeles, CA 90071
Telephone: (213) 337-6700
Facsimile: (213) 337-6701

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S.N. 091642625 File No. 81924.0001 Date Mailed 7-24-01 By: WHL/ST
Title Computer Immune System and Method for Detecting...
(Client Name) CCIS, Inc.
The Following due _____ in the U.S. Patent and Trademark office was received in the Patent
& Trademark Office on the date stamped hereon:

<input type="checkbox"/> Amendment	<input type="checkbox"/> Drawing: # of Sheets _____
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Formal <input type="checkbox"/> Informal
<input type="checkbox"/> PCT Application Including	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Pages Spec. _____ Page Abstract _____	<input type="checkbox"/> Letter Re _____
<input type="checkbox"/> Application for Patent Including	<input type="checkbox"/> Notice of Appeal _____
<input type="checkbox"/> Pages Spec. _____ Page Abstract _____	<input type="checkbox"/> Petition for _____
<input type="checkbox"/> Declaration, Affidavit of Oath (_____ Page(s))	<input type="checkbox"/> Advance soft copy order
<input type="checkbox"/> Assign. Ck No. _____ for \$ _____	<input type="checkbox"/> Ck. No. _____ For \$ _____
<input type="checkbox"/> Verified Statement	<input checked="" type="checkbox"/> IDS: <u>1</u> References
<input type="checkbox"/> Letter of Transmittal	<input type="checkbox"/> Certified Copy# of docs _____
<input type="checkbox"/> Amendment Under 37 C.F.R. 1.312 (a)	<input type="checkbox"/> Priority _____
<input type="checkbox"/> Check No. _____ for \$ _____	<input checked="" type="checkbox"/> Form <u>PTO-1449</u>
<input type="checkbox"/> Check No. _____ for \$ _____	
<input type="checkbox"/> Check No. _____ for \$ _____	

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AUG 08 2001
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JUL 30 2001
PATENT & TRADEMARK OFFICE

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**PATENT
81924.0001**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter A.J. van der Made

Serial No: 09/642,625

Filed: August 18, 2000

For: **COMPUTER IMMUNE SYSTEM AND
METHOD FOR DETECTING UNWANTED
CODE IN A COMPUTER SYSTEM**

Art Unit: 2122

Examiner: Not Assigned

**TRANSMITTAL OF SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents Washington D.C. 20231 on July 26, 2001 Date of Deposit William H. Wright Reg. No. 36,312 Name <i>[Signature]</i> Signature 7/26/01 Date	
--	--

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart

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81924.0001**

foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00).

3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

§1.97(e) STATEMENT

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OR

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AND FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. A copy of this petition is enclosed.
5. ☒ A list of 1 reference(s) is in the enclosed Form PTO-1449.

COPY

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**PATENT
81924.0001**

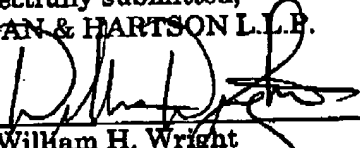
NON-ENGLISH LANGUAGE REFERENCES

- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Date: July 26, 2001

Biltmore Tower
500 South Grand Avenue, Suite 1900
Los Angeles, CA 90071
Telephone: (213) 337-6700
Facsimile: (213) 337-6701

Respectfully submitted,
HOGAN & HARTSON L.L.P.

By: 
William H. Wright
Registration No. 36,312
Attorney for Applicant(s)

COPY

COPY

S.N. 09/642,625 File No. 819240001 Date Mailed 6-27-01 By: W.H. Hulsby
Title Computer Immune System and Method For
(Client Name) V.C.T.S., Inc.
The Following due _____ in the U.S. Patent and Trademark office was received in the Patent
& Trademark Office on the date stamp **RECEIVED**
JUL 16 2001
DOCKETING
JUL 02 2001
U.S. PATENT & TRADEMARK OFFICE
☐ Amendment
☐ Preliminary Amendment
☐ PCT Application Including
☐ Pages Spec. ☐ Page Abstract
☐ Application for Patent Including
☐ Pages Spec. ☐ Page Abstract
☐ Declaration Affidavit of Oath (☐ Claims ☐ Page(s))
☐ Assign. Ck No. _____ for \$ _____
☐ Verified Statement
☐ Letter of Transmittal
☐ Amendment Under 37 C.F.R. 1.312 (a)
☐ Check No. _____ for \$ _____
☐ Check No. _____ for \$ _____
☐ Check No. _____ for \$ _____
Drawing: # of Sheets _____
☐ Formal ☐ Informal
☐ Issue Fee Transmittal
☐ Letter Re
☐ Notice of Appeal
☐ Petition for
☐ Advance soft copy order
☐ Ck. No. _____ For \$ _____
☒ IDS ☐ References
☐ Certified Copy# of docs
☐ Priority
☒ FORM PTD-1449

COPY

COPY**PATENT**
81924.0001**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Peter A.J. van der Made

Serial No: 09/642,625

Filed: August 18, 2000

For: **COMPUTER IMMUNE SYSTEM AND
METHOD FOR DETECTING UNWANTED
CODE IN A COMPUTER SYSTEM**

Art Unit: 2122

Examiner: Not Assigned

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents
Washington D.C. 20231, on

June 27, 2001

Date of Deposit

William H. Wright, Reg. No. 36,312

Name

Signature

6/27/01
Date**TRANSMITTAL OF INFORMATION
DISCLOSURE STATEMENT**Commissioner for Patents
Washington, D.C. 20231

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
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- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

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NON-ENGLISH LANGUAGE REFERENCES

- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Respectfully submitted,
HOGAN & HARTSON L.L.P.

By: 

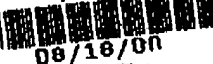
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